IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

TUESDAY, THE 30TH JANUARY 2007 / 10TH MAGHA 1928

WP(C).No. 3135 of 2007(W)

PETITIONERS:

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1. RAJEEVAN NAIR. T.V., TELECOM MECHANIC
   MULANTHURUTHY, RESIDING AT THONIYIL HOUSE,
   VELLOOR, MEVELLOOR P.O.

2. P. SYAMSUNDAR, SENIOR TOA (PHONES)
   O/O. AREA MANAGER, BSNL, THODUPUZHA,
   RESIDING AT, SIVAVILAS, IDAVATTOM P.O.,
   THALAYOLAPARAMBU.

3. RAJENDRA BABU, TELECOM MECHANIC,
   TRANSMISSION MAINTANANCE, PANAMPALLY NAGAR,
   RESIDING AT ABILAYAM, SDPY RD., PALLURUTHY.

4. T.C. ANTONY, TELECOM MECHANIC,
   CUSTOMER SERVICE CENTRE, THODUPUZHA
   RESIDING AT THANNIPPALY HOUSE,
   NJARACKAL.

5. K.A. JOSEPH, SENIOR TOA (G),
   O/O. THE SUB DIVISIONAL ENGINEER,
   TELEPHONES, MURICKASSERY, RESIDING AT
   KUMBILIMOOTTIL, THADIYAMPADU P.O.,
   VAZHATHOPE.

6. C.V. LORANCE, SENIOR TOA,
   O/O.THE DET, IDUKKI, RESIDING AT CHOTTAKKARARYIL
   HOSUE, THAIYAMPADU, VAZHATHOPE.

7. JAYAN C.R., SENIOR TOA,
   CUSTOMER SERVICE CENTRE, KUMILY P.O.,
   RESIDING AT GOURISANKARAM, KAITHAKAD,
   PATTIMATTOM.

8. A.C. GEEVARGHESE, SENIOR TOA (P),
   CUSTOMER SERVICE CENTRE, KUMILY,
   RESIDING AT ALACKAL HOUSE, RAMAMANGALAM P.O.

9. VINOD KUMAR, TOA, O/O.GMT, BSNL,
   THODUPUZHA, RESIDING AT DEVIBHAVAM,
   MUDAVOOR P.O., VAZHAPPILLY,
   MUVATTUPUZHA.

10. SREEKUMAR N., TELECOM MECHANIC,
O/O.SDE A/C AND POWER, BSNL, BOAT JETTY,
ERNAKULAM, RESIDING AT REVATHY,
KUTTANELLOOR P.O., THRISSUR.

BY ADV. SRI.P.SREEKUMAR
SRI.K.S.MANU (PUNUKKONNOOR)

RESPONDENTS:
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1. UNION OF INDIA REPRESENTED BY
THE SECRETARY TO GOVERNMENT OF INDIA,
MINISTRY OF COMMUNICATIONS, NEW DELHI.

2. THE CHAIRMAN AND MANAGING DIRECTOR,
BSNL, NEW DELHI.

3. THE CHIEF GENERAL MANAGER,
TELECOM, BSNL, KERALA CIRCLE,
THIRUVANANTHAPURAM.

BY ADV. SRI.MATHEWS K.PHILIP,SC, BSNL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 3135 OF 2007

Dated this the 30th January, 2007.

JUDGMENT

The petitioners belong to the category of Telecom Mechanic. They had appeared for the competitive examination for Telecom Technical Examination in the 60% quota, held on 28.8.2005 in the Kerala Circle. It is contended that the question papers contained questions which were admittedly out of syllabus and the same has caused substantial prejudice to the petitioners and similarly situated persons. The respondent has allowed additional marks as grace marks. According to the petitioners they are entitled for some more marks as grace marks than already granted.

2. In the case of similarly situated persons, this Court had directed the Chairman and Managing Director or any other officer as may be authorised by him, to consider the case of those employees and to take appropriate decision. The first petitioner has filed Ext.P4 representation before the Chairman and Managing Director seeking similar reliefs.

3. Heard counsel for the petitioners and standing counsel for the respondents.

4. The second respondent is directed to consider

Ext.P4 in the same manner as directed by this Court in Ext.P5 judgment and take appropriate decision. This shall be done within two months from the date of receipt of a copy of the judgment. The petitioners shall forward a copy of the judgment to the second respondent for necessary action. Writ petition is disposed of accordingly.

K.K.DENESAN
Judge

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